

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: Alessia Pavan et al. § Art Unit: 2894  
Serial No.: 10/749,130 § § Examiner: Amar Movva  
Filed: December 30, 2003 § §  
For: Non-Volatile Memory Cell § Conf. No.: 3296  
Comprising Dielectric Layers § §  
Having a Low Dielectric § §  
Constant and Corresponding § Atty Docket: NUM.0104US  
Manufacturing Process § §

Mail Stop **Appeal Brief-Patents**  
Commissioner for Patents  
P.O. Box 1450  
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**TRANSMITTAL OF AMENDED CLAIMS APPENDIX**

In response to the Notification of Non-Compliant Appeal Brief, attached hereto is an Amended Claims Appendix. Please note that the rejection of only one claim is appealed.

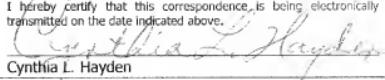
The Commissioner is authorized to charge any fee due to Deposit Account No. 20-1504 (NUM.0104US).

Respectfully submitted,

Date: August 11, 2009

  
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Date of Deposit: August 11, 2009  
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Cynthia L. Hayden

## CLAIMS APPENDIX

The claims on appeal are:

39. A memory comprising:
  - a pair of adjacent cells having separate floating gates;
  - a field oxide between said cells;
  - a first dielectric covering said floating gates and said field oxide;
  - a second dielectric over said first dielectric between said floating gates, said second dielectric having a lower dielectric constant than said first dielectric; and
  - a control gate over said first and second dielectrics.
41. The memory of claim 39 wherein said first dielectric includes a nitride.
42. The memory of claim 41 wherein said first dielectric includes ONO.